

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Pacific Gas and Electric Company (U-39-E) for Adoption of its 2006 Energy Resource Recovery Account (ERRA) Forecast Revenue Requirement and for Approval of Its 2006 Ongoing Competition Transition Charge Revenue Requirement and Rates.

Application 05-06-007
(Filed June 1, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING THE MOTION TO INTERVENE FILED BY
THE NORTHERN CALIFORNIA POWER AGENCY**

Background

On September 2, 2005, the Northern California Power Agency (NCPA) filed a motion to intervene in this proceeding. NCPA's members include publicly owned utilities that currently serve, or anticipate serving, municipal departing load (MDL) as that term is used in Rulemaking 02-01-011.¹

The instant proceeding will determine and adopt a revenue requirement for Pacific Gas and Electric Company's (PG&E's) ongoing competition transition charge (CTC) for MDL. Additionally, the Assigned Commissioner's Ruling (ACR) issued on August 25, 2005, indicates that this proceeding may decide the issue of whether PG&E's proposed CTC rate for MDL violates

¹ NCPA's members include the cities of Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara, and Ukiah, as well as the Port of Oakland, the Truckee Donner Public Utility District, and the Turlock Irrigation District, and whose Associate Members are the Bay Area Rapid Transit District, Lassen Municipal Utility District, Plumas-Sierra Rural Electric Cooperative, and the Placer County Water Agency.

Decision 05-01-035. NCPA seeks to participate in this proceeding because this proceeding will affect the CTC rate paid by the MDL customers of NCPA's members.

Ruling

NCPA has demonstrated that it has a significant interest at stake in this proceeding. It also appears that NCPA's participation will not expand the scope of the proceeding, delay the proceeding, or otherwise burden the proceeding. Therefore, NCPA's motion to intervene is granted. The following individual will be added to the service list on behalf of NCPA:

As an Appearance

Barry F. McCarthy
McCarthy & Berlin, LLP
100 Park Center Plaza, Suite 501
San Jose, CA 95113
Phone: 408-288-2080
Fax: 408-288-2085
Email: bmcc@mccarthylaw.com

C. Susie Berlin, who also represents NCPA in this proceeding, is already listed in the "Appearances" portion of the service list.² There is no need to add Ms. Berlin to the service list again.

This Ruling is being issued pursuant to Rule 45(h), which allows an Administrative Law Judge to rule on a motion before responses are filed.

² Ms. Berlin filed a motion to intervene on behalf of the Turlock Irrigation District and to be placed on the service list. The motion was granted in a separate ruling.

IT IS RULED that:

1. NCPA's motion to intervene is granted.
2. NCPA's intervention is limited to matters within the scope of this proceeding as set forth in the ACR issued on August 25, 2005. This proceeding shall not be delayed as a result of NCPA's intervention.
3. The persons identified in the body of this Ruling shall be added to the service list for this proceeding.

Dated September 9, 2005, at San Francisco, California.

/s/ TIMOTHY KENNEY

Timothy Kenney
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting the Motion to Intervene Filed by the Northern California Power Agency on all parties of record in this proceeding or their attorneys of record.

Dated September 9, 2005, at San Francisco, California.

/s/ KE HUANG

Ke Huang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.